

REMARKS/ARGUMENTS

Claims 1-2 and 5-23 are currently pending in the above-referenced patent application. Claims 1, 8, 9, 12, and 14 are amended and claim 21-24 are newly added by way of the present Amendment.

In the Office Action: Claims 1, 9, and 14 were objected to. The drawings were objected to under 37 C.F.R. § 1.83(a). Claims 1, 2, and 9-11 were rejected under 35 U.S.C. § 102(b) as being anticipated by "applicant's admitted prior art". Claims 6 and 13 were rejected under 35 U.S.C. § 103(a) as being anticipated over "admitted prior art" in view of ref 155642 (JP Pub. 2001-155642). Claims 5 and 7 were allowed. Claims 12 and 15-20 were objected to as being dependent on a rejected base claim, but were indicated as being otherwise allowable.

Figure 4 is amended to correct an obvious error, by way of the present Amendment. Figure 4 was erroneously filed on January 16, 2002 as being identical to Figure 5. Figure 4, as currently presented in this Amendment, is identical to Figure 4 in corresponding Korean Patent Application No. 2001-2802. Korean Patent Application No. 2001-2802 was incorporated by reference in the Transmittal filed January 16, 2002. As set forth in MPEP § 2163.07 (II), obvious errors may be corrected without constituting a new matter issue. This section of MPEP specifies that if a foreign application is incorporated by reference, the disclosure in the foreign priority document may be used to correct obvious errors. Accordingly, the amendment to Figure 4 corrects an obvious error and is supported by corresponding Korean Patent Application No. 2001-2802. As intrinsic support for this obvious error, the

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Applicants have provided a Certified Translation of Korean Patent Application No. 2001-2802.

The entering of the amendment to Figure 4 without constituting a new matter issue is respectfully solicited.

In response to the objections of claim 1, 9, and 14 for typographical errors, the Applicants respectfully request reconsideration. Claims 1, 9, and 14 have been amended accordingly to correct these typographical errors. One of ordinary skill in the art would appreciate that these typographical errors were merely typographical. Accordingly, the amendments to claims 1, 9, and 14 are not narrowing amendments.

In response to the objection to the drawings under 37 C.F.R. § 1.83(a), the Applicants respectfully request reconsideration. In response to this objection, claim 8 has been amended to recite that the "R fluorescent layer is smaller than an interval between bridges in the discharge cell corresponding to the B fluorescent layer" (emphasis added). Accordingly, the drawings now show every feature of the invention specified in the claims.

In response to the rejection of claims 1 and 2 under 35 U.S.C. § 102(b) as being anticipated by "applicant's admitted prior art", the Applicants respectfully request reconsideration. These claims recite "...pairs of...barriers corresponding to two fluorescent layers of...R, G and B fluorescent layers are in form of a stripe and a pair of...barriers corresponding to the other fluorescent layer include bridges extending in a longitudinal direction of the sustaining electrodes as a discharge cell unit."

Figure 4, as amended, of the present application illustrates each fluorescent layer including bridges. Accordingly, Figure 4 of the present application does not disclose two fluorescent layers of the R, G and B fluorescent layers in the form of a stripe, as recited in claims 1 and 2. At least for this reason, a *prima facie* case of anticipation has not been established.

In response to the rejection of claims 9-11 under 35 U.S.C. § 102(b) as being anticipated by “applicant’s admitted prior art”, the Applicants respectfully request reconsideration. Claims 9-11 recite a first set of discharge cells and a second set of discharge cells. Each cell of the first set of discharge cells is separated from another adjacent cell of the first set of discharge cells by bridges. Each cell of the second set of discharge cells contiguous with another adjacent cell of the second set of discharge cells.

Figure 4, as amended, of the present application does not disclose each cell of the first set of discharge cells separated from another adjacent cell of the first set of discharge cells by bridges while each cell of the second set of discharge cells contiguous with another adjacent cell of the second set of discharge cells. At least for this reason, a *prima facie* case of anticipation has not been established.

In response to the rejection of claim 6 and 13 under 35 U.S.C. § 103(a) as being unpatentable over “admitted prior art” in view of ref 155642 (JP Pub. 2001-155642), the Applicants respectfully request reconsideration. These claims comprise the same recitations as discussed above for claim 1. Ref 155642 is in the Japanese language. There

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appears to be no disclosure which alleviates the deficiencies of Figure 4, as amended, of the present application. Particularly, there appears to be no disclosure in ref 155642 of “two fluorescent layers of the R, G and B fluorescent layers are in the form of a stripe and a pair of the barriers corresponding to the other fluorescent layer include bridges...” Accordingly, a *prima facie* case of obviousness has not been established.

The Applicants recognize statements on page 5 of the Office Action indicating allowable subject matter. However, the Applicants can not acknowledge these statements, for the purposes of prosecution history estoppel, as these statements do not correspond to the recitations of the claims word-for-word.

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CONCLUSION

In view of the foregoing amendments and remarks, it is respectfully submitted that the application is in condition for allowance. If the Examiner believes that any additional changes would place the application in better condition for allowance, the Examiner is invited to contact the undersigned attorney, Daniel H. Sherr, at the telephone number listed below.

To the extent necessary, a petition for an extension of time under 37 C.F.R. 1.136 is hereby made. Please charge any shortage in fees due in connection with the filing of this, concurrent and future replies, including extension of time fees, to Deposit Account 16-0607 and please credit any excess fees to such deposit account.

Respectfully submitted,
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